

FORM PTO-1390 (Modified)  
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

6599 DEB

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

Not yet known 09/403431

INTERNATIONAL APPLICATION NO.  
PCT/CH98/00157INTERNATIONAL FILING DATE  
22 April 1998PRIORITY DATE CLAIMED  
23 April 1997

## TITLE OF INVENTION

PROPELLING DEVICE FOR A PISTON IN A CONTAINER CONTAINING A LIQUID MEDICAMENT

## APPLICANT(S) FOR DO/EO/US

Daniel Peter and Beat Kindler

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- ☒ A copy of the International Search Report (PCT/ISA/210).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
- ☒ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
- ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 18 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.  
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

- a) Copy of published PCT application (WO 98/47552, published 29 October 1998);
- b) Check

U.S. APPLICATION NO. (IF KNOWN, SEE: <b>09/1403451</b> )	INTERNATIONAL APPLICATION NO. <b>PCT/CH98/00157</b>	ATTORNEY'S DOCKET NUMBER <b>6599 DEB</b>
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20. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :					
<input checked="" type="checkbox"/>	Search Report has been prepared by the EPO or JPO .....	\$840.00			
<input type="checkbox"/>	International preliminary examination fee paid to USPTO (37 CFR 1.482) .....	\$670.00			
<input type="checkbox"/>	No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....	\$760.00			
<input type="checkbox"/>	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	\$970.00			
<input type="checkbox"/>	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....	\$96.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$18.00	\$0.00	
Independent claims	3 - 3 =	0	x \$78.00	\$0.00	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$970.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).				<input type="checkbox"/>	\$0.00
SUBTOTAL =				\$970.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$0.00
TOTAL NATIONAL FEE =				\$970.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/>	\$0.00
TOTAL FEES ENCLOSED =				\$970.00	
				Amount to be: refunded	\$
				charged	\$

- ☒ A check in the amount of **\$970.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **04-1420** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Minneapolis, Minnesota 55402-1498

Telephone: 612-340-6317  
Facsimile: 612-340-8856

SIGNATURE

David E. Bruhn

NAME

36,762

REGISTRATION NUMBER

DATE

October 22, 1999

The mail stamp of the Patent and Trademark Office on card acknowledges the filing on the date stamped of:

OCT 22 1999

Transmittal of filing under 35 USC 371; Published PCT application; Translation of published PCT application; International Search Report; International preliminary examination report  
Translation of replaced p. 1 of specification; Translation of replacement claims 1-15  
Preliminary Amendment; Information Disclosure Statement (transmittal, IDS, list of pending apps in duplicate, PTO1449 in duplication, cited references (4 spindles); Certificate of Express Mailing  
Check for \$970; Return receipt postcard

EXPRESS MAIL NO.: EL 115 447 733 US

Applicants: Daniel Peter and Beat Kindler

Serial No.: Not yet known

Docket No.: 6599

Due Date:

Initials: DEB/lep

Mailed: 10/22/99

Oppositions-extension of time requested to:

09/403431

520 Rec'd PCT/PTO 22 OCT 1999

Long filing Receipt 1.22.2000  
1.22.2001

Tjm

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.1)**

Applicant(s): Daniel Peter and Bea [REDACTED] dler

Docket No.

6599 DEB

Serial No.

Not yet known

Filing Date

Herewith

Examiner

NA

Group Art Unit

NA

Invention: PROPELLING DEVICE FOR A PISTON IN A CONTAINER CONTAINING A LIQUID MEDICAMENT

I hereby certify that this Filing Under 35 USC 371, with related documents, Prelim. Amendment, IDS, check  
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on  
22 October 1999  
(Date)

Brian Ballard

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EL11544773US

("Express Mail" Mailing Label Number)

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09/403431

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Docket: 6599

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Daniel Peter and Beat Kindler

Serial No.: Not yet known

**BEST AVAILABLE COPY**

Filing Date: Herewith

Title: Propelling Device for a Piston in a Container Containing a Liquid Medicament

Translation of replacement page 1 of  
published PCT application

(PCT/CH98/00157)

09/403431

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**BEST AVAILABLE COPY**

Title: Propelling Device for a Piston in a Container Containing a Liquid Medicament

**Translation of Replacement Claims 1-15  
of PCT Specification**

**(PCT/CH98/00157)**

09/403431

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Translation of Published PCT Application

(WO 98/47552, published 29 October 1998)

(PCT/CH98/00157)

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Filing Date: Herewith

Title: Propelling Device for a Piston in a Container Containing a Liquid Medicament

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**International Preliminary Examination Report**

**(with Annex, replacement page 1 of specification,  
and replacement claims 1-15)**

**(PCT/CH98/00157)**



09/403431  
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Docket: 6599

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Applicants: Daniel Peter and Beat Kindler

Serial No.: Not yet known

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Title: Propelling Device for a Piston in a Container Containing a Liquid Medicament

International Search Report

(PCT/CH98/00157)

09/403431

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Published PCT Application

WO 98/47552 published 29 October 1998

(PCT/CH98/00157)

The mail stamp of the Patent and Trademark Office on card acknowledges the filing on the date stamped of:

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Translation of replaced p. 1 of specification; Translation of replacement claims 1-15  
Preliminary Amendment; Information Disclosure Statement (transmittal, IDS, list of pending apps in duplicate, PTO1449 in duplication, cited references (4 spindles); Certificate of Express Mailing  
Check for \$970; Return receipt postcard

EXPRESS MAIL NO.: EL 115 447 733 US\

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Serial No.: Not yet known  
Docket No.: 6599  
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Initials: DEB/lep  
Mailed: 10/22/99  
Oppositions-extension of time requested to:

CHECK DATE

10/ 22/ 99

usbank

Havre, MT 59401

**DORSEY & WHITNEY LLP**

220 SOUTH SIXTH STREET  
MINNEAPOLIS, MINNESOTA 55402

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93-455/929

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Commissioner of Patents and  
Trademarks

⑈807890⑈ ⑆092904554⑆150080378931⑈

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